

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 452

Introduced by Senator Dutton

February 26, 2009

An act to add Section 102222 to the Health and Safety Code, relating to child protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 452, as amended, Dutton. At-risk children: registration of birth: notification to child protective services.

Existing law prescribes the duties of the State Registrar of Vital Statistics and local registrars of births and deaths with respect to the registration of a live birth.

Existing law requires the State Department of Social Services to implement a Statewide Child Welfare Services Case Management System (CWSCMS) in order to protect children and effectively administer and evaluate California's Child Welfare Services and ~~Foster Care~~ *foster care* programs.

This bill would require the State Registrar, upon receipt of the weekly transmission of original certificates from a local registrar, to enter the name of each parent listed on a certificate of live birth into the CWSCMS, and to forward to the appropriate child protective services department the name of ~~parents a parent who have a history of child abuse, neglect, or maltreatment~~ *has had his or her parental rights terminated due to abuse or neglect*, as specified. The bill would require a county child protective services department to conduct an immediate investigation upon receipt of a name forwarded by the State Registrar pursuant to the bill. By increasing the duties of county child protective

services departments, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 102222 is added to the Health and Safety
2 Code, to read:

3 102222. (a) Upon receipt of the weekly transmission of original
4 certificates from a local registrar of births and deaths pursuant to
5 Section 102345, the State Registrar shall enter the name of each
6 parent listed on a certificate of live birth into the Child Welfare
7 Services Case Management System (CWSCMS). If an entry
8 satisfies the requirements of subdivision (b), the State Registrar
9 shall immediately transmit the parent's name to the child protective
10 services department in the county in which the birth was registered.

11 (b) A parent's name shall be forwarded to child protective
12 services when entry of his or her name into the CWSCMS pursuant
13 to subdivision (a) shows a history of either of the following:

14 ~~(1) The that the~~ parent previously has had his or her parental
15 rights terminated pursuant to Section 366.26 of the Welfare and
16 Institutions Code due to abuse or neglect.

17 ~~(2) The parent has a prior substantiated finding by the child~~
18 ~~protective services department of serious maltreatment of a child.~~

19 (c) A child protective services department that receives a
20 notification pursuant to this section shall conduct an immediate
21 investigation to ensure the safety and well-being of the infant.

22 (d) Nothing in this section shall be interpreted to require the
23 removal of an infant from the home solely based on the past history
24 of abuse or neglect of either or both parents.

25 SEC. 2. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to

1 local agencies and school districts for those costs shall be made
2 pursuant to Part 7 (commencing with Section 17500) of Division
3 4 of Title 2 of the Government Code.

O